

The Gazette of India

PUBLISHED BY AUTHORITY

No. 33] NEW DELHI, SATURDAY, AUGUST 16, 1952

NOTICE

The undermentioned Gazette of India Extraordinary was published during the week ending the 11th August, 1952 :—

| Issue No. | No. and Date | Issued by | Subject |
|-----------|--|---------------------|---|
| 112 | S. R. O. 1350, dated the 23rd July 1952. | Ministry of Labour. | Awards of the All India Industrial Tribunal (Bank Disputes) |

Copies of the Gazette Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3

Statutory Rules and Orders Issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS

New Delhi, the 6th August 1952

S.R.O. 1407.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, read with articles 313 and 372 thereof and paragraph 19 of the Adaptation of Laws Order, 1950, the President hereby directs that the following further amendments shall be made in the Rules published by the notification of the Government of India in the late Home Department No. F.9/19/30-Ests., dated the 27th February, 1932, namely:—

In the Schedule annexed to the said Rules under the heading "Department of Education, Health & Lands" for the sub-heading 'Office of the Imperial Council of Agricultural Research' and the entries made

thereunder, the following sub-heading and entries shall be substituted, namely:—

**"Office of the Indian Council of
Agricultural Research.**

| | | | | |
|---|-----------------|-----------------|-----|---|
| Clerks, Routine Clerks and Typists, who were in service on the 1st April, 1937. | Vice-President. | Vice-President. | All | Minister in charge of Food & Agriculture. |
|---|-----------------|-----------------|-----|---|

| | | | | |
|---|------------|------------|-----|--|
| Technical Assistants, Statistical Assistants, Senior Computers, Computers, Stenographers (excluding members of the Central Secretariat Stenographers' Service) and Clerks, Routine Clerks and Typists who were not in service on the 1st April, 1937. | Secretary. | Secretary. | All | Vice-President, Indian Council of Agricultural Research. |
|---|------------|------------|-----|--|

| | | | | |
|---|----|-----|-----|-----|
| Record Sorters, Daffries, Jamadars, Peons, Farashes, Laboratory Attendant, Chaukidars and Sweepers who were in service on the date of issue of this notification. | Do | Do. | Do. | Do. |
|---|----|-----|-----|-----|

| | | | | |
|---|-----------------|-----------------|--------------------------|------------------|
| Record Sorters, Daffries, Jamadars, Peons, Farashes, Laboratory Attendant, Chaukidars and Sweepers who were not in service on the date of issue of this notification. | Under Secretary | Under Secretary | (i) to Secretary. (v) | |
| | | Secretary | (vi) and (vii) | Vice-President." |

[No. F.7/21/52-Ests.]

S. P. MAHNA, Asstt. Secy.

RESERVE BANK OF INDIA

Central Office

Bombay, the 6th August, 1952

S.R.O. 1408.—In pursuance of the Notification of the Government of India in the Ministry of Finance No. 12(11)-FI/48, dated the 25th August, 1948 the Reserve Bank of India hereby directs that in its Notification No. FERA-62/48-RB, dated the 25th August, 1948 for the words "provided the gold or silver is on through transit to a place outside India and the French and Portuguese Territories which are adjacent to or surrounded by India and is not removed from the carrying ship or aircraft, except for the purpose of transshipment" the following shall be substituted:

"provided that the gold or silver—

(a) is on through transit to a place which is outside both—

(i) the territory of India, and

(ii) the French and Portuguese territories adjacent to, or surrounded by, the territory of India; and

(b) is not removed from the carrying ship or aircraft, except for the purpose of transshipment."

[No. F.E.R.A. 113/52-R.B.]

B. RAMA RAU, Governor.

MINISTRY OF FINANCE (REVENUE DIVISION)

CENTRAL EXCISES

New Delhi, the 9th August 1952

S.R.O. 1409.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government hereby directs that

the following further amendments shall be made in the Central Excise Rules, 1944, namely—

In the said Rules—

1. For rules 152 to 156, the following rules shall be substituted, namely—

“152. Goods may be removed from one warehouse to another.—(1) Subject to the limitation imposed by rule 139, any goods warehoused under these Rules may at any time within the period during which such goods can be left, or are permitted to remain, in a warehouse under rule 145, may be removed from one warehouse to another subject to the observance of the procedure hereinafter prescribed.

(2) For the purpose of such procedure,

(a) “consignor” shall be deemed to be—

(i) if the goods are to be removed from a public warehouse, the owner of the goods;

(ii) if the goods are to be removed from a private warehouse, the licensee of such warehouse;

(b) “consignee” shall be deemed to be—

(i) if the goods are to be removed to a public warehouse, the owner of such goods;

(ii) if the goods are to be removed to a private warehouse, the licensee of such warehouse.

153 Bond for due arrival and rewarehousing.—(1) When warehoused goods are to be removed from one warehouse to another, the consignor or the consignee of the goods shall, before the goods are removed, enter into a bond in the proper form, with such surety or sufficient security, and under such conditions, as the Collector approves, in a sum equal at least to the duty chargeable on such goods, for the due arrival and rewarehousing thereof at the warehouse of destination, within such time as the proper officer directs.

(2) Such bond shall be furnished to the officer in charge of the warehouse of removal or of the warehouse of destination, according as the bond is executed by the consignor or the consignee.

(3) Such bond shall not be discharged until such goods are produced to the officer at the warehouse of destination, and are duly rewarehoused or are otherwise accounted for to the satisfaction of the officer having jurisdiction over the executor of the bond, nor until the full duty due upon any deficiency in such goods not so accounted for has been paid.

(4) For purposes of such a discharge, if the bond has been furnished by the consignor, an essential condition shall be the prior receipt by the officer in charge of the warehouse of removal, of the duplicate application from the officer in charge of the warehouse of destination with his rewarehousing certificate recorded thereon, as hereinafter provided under sub-rule (3) of rule 156A.

154 Remover may enter into a general bond.—The Collector may permit any person entitled under these Rules to remove warehoused goods from one warehouse to another, to enter into a general bond with such surety or sufficient security, in such amount, and under such conditions, as the Collector approves, for the removal, from time to time, of any goods from one warehouse to another, and for the due arrival and rewarehousing thereof at the warehouse of destination, within such time as the proper officer directs:

Provided that, in the event of death, insolvency or insufficiency of the surety, the Collector may, in his discretion, demand a fresh bond; and may, if the bond is with security, demand at any time he considers fit to do so, additional security.

155. Bond under rule 140 and rule 164 to continue in force notwithstanding removal.—Every bond executed under rule 140 and rule 164 in respect of such goods shall unless the Collector in any case deems a fresh bond to be necessary, continue in force notwithstanding the subsequent removal of such goods to another warehouse:

156. Certificate regarding consignee to be produced.—Along with his application for the removal of the goods, the consignor shall produce before the proper officer a certificate in the proper Form stating the particulars of the Central Excise licences held by the consignee, and the bonds, if any, executed by him.

156A. Procedure in respect of goods removed from one warehouse to another.—

(1) The application for removal of goods from one warehouse to another shall be presented by the consignor in triplicate, and in the proper Form, to the officer-in-charge of the warehouse of removal, at least 24 hours before the intended removal, together with such other information as the Collector may by general or special order require.

(2) Such officer shall then take account of the goods, and after completing the removal certificate on all the copies of the application, shall send the duplicate to the officer in charge of the warehouse of destination, and hand over the triplicate to the consignor for despatch to the consignee. He shall also deliver to the consignor a transport permit in the proper form.

(3) On arrival of the goods at the warehouse of destination, the consignee shall present them together with the triplicate application and the transport permit to the officer in charge of such warehouse, who shall, after taking account of the goods, complete the rewarehousing certificate on the duplicate and the triplicate application, return the duplicate to the officer in charge of the warehouse of removal, and the triplicate to the consignee for despatch to the consignor.

(4) The consignor shall present the triplicate application duly endorsed with such certificate to the officer in charge of the warehouse of removal, within ninety days of the date of issue of the transport permit under sub-rule (2).

156B. Failure to present triplicate application.—(1) If the consignor fails to present the triplicate application to the officer in charge of the warehouse of removal in the manner laid down in sub-rule (4) of rule 156A, and the duplicate application endorsed with the rewarehousing certificate has also not been received by such officer from the officer in charge of the warehouse of destination, the consignor shall, upon a written demand being made by the former officer, pay the duty leviable on such goods within ten days of the notice of demand, and if the duty is not so paid, he shall not be permitted to make fresh removals of any warehoused goods from one warehouse to another until the duty is paid or until the triplicate application is so presented, or the duplicate application is so received.

(2) Where such duty has been paid, it shall be refunded to the consignor either on his presentation of the triplicate application to, or on the receipt of the duplicate application by, the officer at the warehouse of removal, duly endorsed, as provided in sub-rule (3) of rule 156-A, with a certificate by the officer in charge of the warehouse of destination that the goods covered by the application have been satisfactorily rewarehoused."

2. In Appendix I—

(a) in the Table under the heading "Forms"—

- (i) for the figures "158" in column 3 against Central Excise Series No. 59, the figures, letter and word "153, 156A and 158" shall be substituted.
- (ii) for the figures "153", in column 3 against Central Excise Series No. 64, the figures and letter "156A" shall be substituted.
- (iii) after entries relating to Central Excise Series No. 85, the following shall be inserted—

| "Central Excise Series No. | Description of Form | Rule No | Short Title |
|----------------------------|--|---------|-------------|
| CERTIFICATES | | | |
| 86 | For removal of warehoused goods under particular bond. | 156 | C. T.-1 |
| 87 | For removal of warehoused goods under general bond. | 156 | C. T.-2" |

(b) for Form A.R.-3 (Central Excise Series No. 59), the following shall be substituted—
“CENTRAL EXCISE SERIES No. 59

Range
Circle

Original
Duplicate
Triplicate

Form A R. 3

APPLICATION FOR REMOVAL OF EXCISABLE GOODS FROM ONE BONDED WAREHOUSE TO ANOTHER.

(Rules 156, 156A and 158)

I/We, holder (s) of Central Excise licence No in Form apply for leave to remove the undermentioned goods from the warehouse at to the warehouse at in Range Circle of Mr/Messrs holders of Central Excise licence No in Form

| Number and date of entry in warehouse register | Description of goods | Number and description of packages | Gross weight of packages | Marks and numbers on packages | *Quantity of goods | *Date of first warehousing | Value | * Duty | | Manner of transport | Remarks |
|--|----------------------|------------------------------------|--------------------------|-------------------------------|--------------------|----------------------------|--------------|--------------|---------------|---------------------|---------|
| | | | | | | | | Rate | Amount | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 Rs. As. | 9 Rs. As. | 10 Rs. As. | 11 | 12 |

* To be entered by the consignor/owner or his authorised agent in words and figures.

**2. I/We have executed a bond in Form B-5 (Sur) or (Sec) bearing No dated for Rupees (attached in original)

B-5 (Gen. Sur) or (Gen. Sec.) bearing No dated for Rupees

** 3. The aforesaid Mr./Messrs have executed a bond at destination, in Form B-5 (Sur) or (Sec) B-5 (Gen. Sur) or (Gen. Sec.), bearing No dated for Rupees

A Certificate from the Central Excise Officer of Central Excise in Form CT-1/C.T.-2 is attached.

4. I/We hereby declare the above particulars to be true.

Signature of consignor (s)/owner (s) or his/their authorised agent.

Place

Date

Certificate of Central Excise Officer at Warehouse of Removal.

To

..... of Central Excise,

..... Range.

I hereby certify that the consignment conforms in all respects to the description given above, and I have permitted removal under Transport Permit in Form T.P.-2 No.....dated

Place

..... of Central Excise.

Date

*Certificate of Central Excise Officer at Warehouse of Destination. **

I hereby certify that the consignment arrived at..... on; that the goods conform in all respects to the description given overleaf except for the following discrepancies, and that they have been rowarchoused under Entry No. in Part I of Warehouse Register in Form W.R.G.1/W.R.G.-2.

Place

..... of Central Excise.

Date

**Delete the entries not applicable. "

(c) in Form T.P.-2 (Central Excise Series No. 64), for the words, figures and brackets "(Rule 32 and 152)", wherever they occur, the words, figures and brackets "(rule 32 and 156A)" shall be substituted.

(d) after Form A.I.I (Central Excise Series No. 85), the following Forms shall be inserted—

"CENTRAL EXCISE SERIES NO. 86

Range

Circle

Division

Collectorate

FORM C.T.-1

Certificate for Removal of Warehoused Goods under Particular Bond

(Rule 156)

This is to certify that Mr./Messrs (name and address.....) has/have executed a bond No.....dated.....in Form B 5(Sur.)/B-5(Sec.) for the sum of Rs.....for the removal oflbs./cwt..... of(name of excisable goods).....on or about.....(intended date of removal).....from the public warehouse of.....in.....Range/private warehouse of(name).....L-5 No.....of.....Range to the public warehouse of...../private warehouse of.....(name).....L-5 No.....in this Range.

Address of Range Officer:

Address of Circle Officer:

Date.....

.....of Central Excise
.....

Seal

- CENTRAL EXCISE SERIES NO. 87

Range

Circle

Division

Collectorate

FORM C.T.-2

Certificate for Removal of Warehoused Goods under General Bond

(Rule 156)

This is to certify that—

- (1) Mr./Messrs..... (name and address).....is/are licensed in Form in this Range under the Central Excise Rules, 1944;
- (2) his/their licence(s) and licensed premises, and particulars of the general bond(s) executed by him/them are as stated in the schedule appended to this Certificate;
- (3) the said licence(s) expires/expire on the 31st December 19.....

SCHEDULE

| Licensed premises other than private warehouses | | Private war houses | | | If depositing goods in public warehouse |
|---|-------------|--------------------|-------------|--|--|
| Address | Licence No. | Address | Licence No. | No., date title and amount of general bond | No., date title and amount of general bond |
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

Address of Range Officer:

Address of Circle Officer:

Date of Central Excise

Seal"

[No. 18.]

W SALDANHA, Under Secy.

CENTRAL BOARD OF REVENUE

INCOME TAX

New Delhi, the 8th August, 1952

S.R.O. 1410.—The following draft of a further amendment to the Indian Income-tax Rules, 1922, which the Central Board of Revenue propose to make in exercise of the powers conferred by sub-section (1) of section 59 of the Indian Income-tax Act, 1922 (XI of 1922) is published as required by sub-section (4) of the said section for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 26th August 1952. Any objection or suggestion which may be received in respect of the said draft before the date specified will be considered by the said Board.

Draft Amendment

In rule 47 of the said Rules for the words 'Imperial Council of Agricultural Research' the words 'Indian Council of Agricultural Research' shall be substituted.

[No. 50.]

S. P. LAHIRI, Secy.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 11th August 1952

S.R.O. 1411.—In exercise of the powers conferred by sub-clause (a) of Clause 2 of the Iron and Steel (Control of Production and Distribution) Order, 1941, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply,

No. I(1)-4(41), dated the 7th September 1950, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

“The Director of Industries, Government of Travancore-Cochin, Trivandrum.”

[No. SC(A)-4(138)]

S.R.O. 1412.—In exercise of the powers conferred by sub-clause (b) of Clause 2 of the Iron and Steel (Scrap Control) Order, 1943, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply, No. I(1)-4(78)A, dated the 6th January 1951, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

“The Director of Industries, Government of Travancore-Cochin, Trivandrum.”

[No. SC(A)-4(138)A.]

D. HEJMADI, Under Secy.

New Delhi, the 12th August 1952

S.R.O. 1413.—In exercise of the powers conferred under sub-section (1) of Section 6 of the Central Silk Board Act, 1948 (Act No. LXI of 1948) as amended by Section 3 of the Central Silk Board (Amendment) Act, 1952 (Act No. LVI of 1952), the Central Government is pleased to appoint the Textile Commissioner to the Government of India as Vice-Chairman of the Central Silk Board.

[No. 15(18)-Tex/51.]

S.R.O. 1414.—Consequent upon the amendment to clause (c) of sub-section (3) of section 4 of the Central Silk Board Act, 1948 (No. LXI of 1948), made by section 2 of the Central Silk Board (Amendment) Act, 1952 (No. LVI of 1952), the Central Government is pleased to cancel the Central Silk Board (Election) Rules, 1949, published under the late Ministry of Industry and Supply Notification No. 116(13)-Tex. 1/48, dated the 22nd January, 1949.

[No. 1(30)-Tex/52.]

P. GOVINDAN NAIR, Dy. Secy.

MINISTRY OF FOOD AND AGRICULTURE

New Delhi, the 16th August 1952

S.R.O. 1415.—In exercise of the powers conferred by clause 2(a) of the Vegetable Oil Products Control Order, 1947 as subsequently amended by the Notification of the Government of India in the Ministry of Food & Agriculture No. S.R.O. 2040 dated the 22nd December, 1951, the Vegetable Oil Products Controller for India is hereby pleased to confer upon the officers specified in Col. 2 of the schedule hereto annexed in respect of their respective jurisdiction in the State mentioned in Column 1, the powers of the Controller under clause 13 of the said order.

SCHEDULE

| State | Designation of authority |
|---------------|--|
| (1) | (2) |
| Uttar Pradesh | 1. District Magistrates and Deputy Commissioners. 2. Police Officers not below the rank of Sub-Inspectors. 3. Medical Officers of Health. 4. Supply Officers. |

[No. 2-VF(2)/52.]

P. A. GOPALAKRISHNAN,
Vegetable Oil Products Controller for India.

MINISTRY OF HEALTH

New Delhi, the 5th August 1952

S.R.O. 1416.—In exercise of the powers conferred by clause (f) of section 3 of the Dentists Act, 1948 (XVI of 1948), the Central Government is pleased to nominate the following persons as members of the Dental Council of India:—

- (1) Dr. N. N. Bery, D.D.S., F.I.C.D., D.E.D.P., Z.D.S. (Vienna), 13, Curzon Road, New Delhi.
- (2) Dr. Udham Singh Malik, M.B.B.S., L.D.S., R.C.S. (Eng.), 26, Windsor Place, New Delhi.
- (3) Dr. Bankim Mukerjee, L.D.S., R.C.S. (Eng.), 3, Waterloo Street, Calcutta-1.
- (4) Dr. H. A. Fernandes, 42, Perambur Barracks Road, Vepery, Madras.
- (5) Dr. M. A. Shah, M.B.B.S., 31-A, Cantonment Road, Lucknow.
- (6) Dr. K. L. Shourie, M.Sc., M.B.B.S., M.D.S., Ph.D., Vice-Dean, C.E.M. Dental College, Bombay.

[No. F.18-28/51-M.I.]

New Delhi, the 7th August 1952

S.R.O. 1417.—In exercise of the powers conferred by clause (a) of sub-clause (1) of section 3 of the Indian Medical Council Act, 1933 (XXVII of 1933), the Central Government is pleased to renominate Lt.-Col. A. N. Chopra, M.B.B.S., D.T.M., D.P.H., Inspector General of Civil Hospitals, Assam, as a member of the Medical Council of India with effect from the 28th July, 1952.

[No. F.5-6/52-MI.]

P. S. DORASWAMI, Under Secy.

ORDER

New Delhi, the 9th August 1952

S.R.O. 1418.—Whereas it appears to the President that the public interests would be served by the establishment of a Central Council of Health;

Now, therefore, in exercise of the powers conferred by article 263 of the Constitution the President hereby establishes a Central Council of Health (hereinafter in this Order referred to as the Council) and defines the nature of the duties to be performed by it and its organisation and procedure as follows:—

1. Organisation of the Council—

- (i) The Council shall consist of the Union Minister of Health who will be its chairman and the State Ministers of Health who will be its members;
- (ii) Expert and technical advisers to the Central Government and State Governments shall not be members of the Council and shall not have any

right to vote when any decision is taken by it but shall, if so required by the Council, be in attendance at its meetings;

- (iii) The Council shall have a secretarial staff consisting of a Secretary and such officers and servants as the Chairman may, with the approval of the Central Government, think fit to appoint.

2. Nature of the duties to be performed by the Council—

The Council shall be an advisory body and in that capacity shall perform the following duties, namely:—

- (a) to consider and recommend broad lines of policy in regard to matters concerning health in all its aspects, such as the provision of remedial and preventive care environmental hygiene, nutrition, health education and the promotion of facilities for training and research;
- (b) to make proposals for legislation in fields of activity relating to medical and public health matters, laying down the pattern of development for the country as a whole;
- (c) to examine the whole field of possible co-operation on a wide basis in regard to inter-State quarantine during times of festivals, outbreaks of epidemic diseases and serious calamities such as earthquakes and famines and to draw up a common programme of action;
- (d) to make recommendations to the Central Government regarding distribution of available grants-in-aid for Health purposes to the States and to review periodically the work accomplished in different areas through the utilisation of these grants-in aid; and
- (e) to establish any organisation or organisations invested with appropriate functions for promoting and maintaining co-operation between the Central and State Health administrations.

3. Procedure of the Council—

The Council shall in its conduct of business observe the following procedure, namely:—

- (a) the Council shall meet at least once in every year;
- (b) it shall meet at such time and place as the Chairman may appoint in this behalf;
- (c) five members (including the Chairman) shall form the quorum for a meeting of the Council;
- (d) the Chairman shall preside at every meeting of the Council and in his absence from any meeting the members present shall choose some one of their number to preside;
- (e) all questions which may come before the Council at a meeting shall be decided by a majority of votes of the members (including the Chairman) present at the meeting;
- (f) in case of an equality of votes the person presiding shall have a second or casting vote;
- (g) the Council shall observe in the conduct of its business such other procedure as it may, with the approval of the Central Government, lay down from time to time.

[No. F. 5-1/51-P.]

P. M. MENON, Joint Secy.

MINISTRY OF REHABILITATION

New Delhi, the 1st August 1952

S.R.O. 1419.—In exercise of the powers conferred by Section 4 of the Evacuee Interest (Separation) Act, 1951 (LXIV of 1951), the Central Government hereby

directs that the following amendment shall be made in the Notification of the Government of India in the Ministry of Rehabilitation No. S.R.O. 107, dated the 15th January 1952, namely:—

'In the said Notification, for the entry 'Shri Ramji Das, Registrar, Judicial Commissioner's Court, Himachal Pradesh', the entry 'Shri Om Prakash, Registrar, Judicial Commissioner's Court, Himachal Pradesh', shall be substituted".

[No. 82(14)/5.-Prop.]

MANMOHAN KISHAN, Asstt Secy.

New Delhi, the 16th August 1952

S.R.O. 1420.—In exercise of the powers conferred by sub-clause (ii) of clause (a) of section 2 of the Displaced Persons (Claims) Act, 1950 (XLIV of 1950), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Rehabilitation, No 3(14) Genl/50-11, dated the 27th May, 1950, namely:—

In the said notification for item 3, the following item shall be substituted namely:—

"3. Any agricultural land in any part of West Pakistan other than the Province of West Punjab, owned by a claimant not being a person of Punjabi extraction and in respect of which no allotment has been made under the quasi-permanent allotment scheme in operation in the States of the Punjab and the Patiala and East Punjab States Union.

Explanation—"A person of Punjabi extraction means a land holder who or whose ancestor migrated as a colonist from the Punjab since 1901 to the Provinces of the North West Frontier, Sind or Baluchistan or to any State adjacent to any of the aforesaid Provinces acceding to the Dominion of Pakistan".

[No 3(14)/AE/Genl/50]

J N. MATHUR, Asstt. Secy

MINISTRY OF TRANSPORT

New Delhi, the 4th August 1952

S.R.O. 1421.—The following draft of a further amendment in the rules relating to the charges for the hire of port craft, plant and appliances at the Cochin Port, published by the notifications of the Government of India, in the Department of Communications No 11 P(53) 41, dated the 29th January, 1942, and the former Government of Cochin Public Works Department No 132, dated the 26th April 1942, which it is proposed to make, in exercise of the powers conferred by clause (J) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908), is published, as required by sub-section (2) of the said section, for the information of all persons likely to be affected thereby, and notice is hereby given, that the draft will be taken into consideration on or after the 15th September 1952.

Any objection or suggestion, which may be received from any person with respect to the said draft before the date specified, will be considered by the Central Government.

Draft Amendment

After rule 4 of the said rules, the following rule shall be inserted, namely:—

"4A When port craft, plant and appliances are requisitioned for a specified number of hours but are used not continuously but at different times to suit the convenience of the Port or due to circumstances beyond the control of the parties concerned charges will be calculated as if the hire was for a continuous period, by totalling up the broken periods of work instead of rounding off each spell of work separately provided a certificate to this effect is produced from the Port's Traffic Manager or the Executive Engineer, as the case may be"

[No. 6-PH(59)/52]

C. PARTHASARATHY, Under Secy.

PORTS

New Delhi, the 8th August 1952

S.R.O. 1422.—In exercise of the powers conferred by clause (x) of section 5 read with sub-section (1) of section 16A of the Calcutta Port Act, 1890 (Bengal Act III of 1890), the Central Government hereby appoints the following persons as Commissioners for the Port of Calcutta:

- | | | |
|-------------------------------|---|-------------------------------|
| 1. Shri Kali Mukherji. | } | Representatives of Labour. |
| 2. Shri Adhir Chandra Banerji | | |

[No. 9-PI(35)/52.]

S. N. CHIB, Dy. Secy.

MINISTRY OF LABOUR

New Delhi, the 5th August 1952

S.R.O. 1423.—In exercise of the powers conferred by the proviso to section 46 of the Mines Act, 1952 (XXXV of 1952), the Central Government hereby varies the hours of employment of women, above ground, in respect of the mines specified in the Schedule hereto annexed from those specified in the said section to 6 A.M. to 10 P.M.:—

The Schedule

- (1) Noamundi Iron Mine, Noamundi, District Singhbhum, Bihar.
- (2) Badampahar Iron Mine, Badampahar, District Mayurbhanj, Orissa.

[No. M.46(4)/52.]

New Delhi, the 6th August 1952

S.R.O. 1424.—*Corrigendum.*—In the Ministry of Labour Notification No. S.R.O. 590, dated the 29th March 1952, published on pages 467-471 of the *Gazette of India Extraordinary*, Part II, Section 3, dated the 31st March 1952, in the heading of Column 3 for the words "proposed minimum" read the word "Minimum".

[No. LWI-24(115)]

P. N. SHARMA, Under Secy.

New Delhi, the 6th August 1952

S.R.O. 1425.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (XIX of 1952), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Labour No. P.F. 516(12), dated the 9th July, 1952, namely:—

In the said notification in column 3 of the table against Serial No. 1 after the words "Districts of South Arcot," the word "Tanjore," shall be added.

[No. P.F. 516(12)]

New Delhi, the 8th August 1952

S.R.O. 1426.—*Corrigendum.*—At page 1075 of the *Gazette of India*, Part II—Section 3, dated the 12th July, 1952, in line 41 under S.R.O. 1212 for "ends" read "end".

[No. PF-2 (16)/52.]

SADASHIVA PRASAD, Dy. Secy.

New Delhi, the 8th August 1952

S.R.O. 1427.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal (Bank Disputes) in respect of an application under section 33-A of the said Act preferred by Shri P. P. Mathew of the South Indian Bank Limited

AWARD

BEFORE THE ALL INDIA INDUSTRIAL TRIBUNAL (BANK DISPUTES) BOMBAY.

COMPLAINT No. 11 OF 1952.

Complainant

Shri P. P. Mathew,
South Indian Bank Ltd.,
Madras.

Versus

Opposite Party--

The South Indian Bank Ltd.,
Trichur.

This is a complaint under Section 33A of the Industrial Disputes Act, 1947 by the workman abovenamed alleging contravention of the provisions of the aforesaid section by the bank. The complaint has been filed on behalf of the workman by Shri K. S. Janakiraman, General Secretary, Commercial Employees Association and President, South Indian Bank Employees Association.

Notice was issued to the bank on 30th May 1952 calling for its reply statement by 16th June 1952. The bank, by its letter dated 10th June 1952, wrote to the Tribunal praying for an extension of time and time was accordingly extended till 15th July 1952. Meanwhile, the workman has, in his letter dated 25th June 1952, written to the Tribunal as follows:—

"I may kindly be allowed to withdraw the complaint I have lodged against the South Indian Bank Ltd., Trichur. I did not understand the full implication of my transfer as an Asstt. Accountant to South Indian Bank Ltd., Alleppey from Madras where I was working. It was only after joining duty at Alleppey that I understood that it was eventually a promotion and that no victimization is intended in it. Promotion as an Asstt. Accountant will alone lead me to further promotions in the bank. The management of the bank has therefore only done me a good turn in this transfer and that I regret that I misunderstood their intention. I am sorry for it and I unreservedly withdraw my complaint."

The Bank also in its letter dated 10th July 1952 has requested the Tribunal to dispose of the matter in accordance with the Complainant's aforesaid letter. In these circumstances, we pass an award dismissing the complaint.

(Sd) S. PANCHAPAGESA SASTRY, *Chairman.*

(Sd) M. L. TANNAN, *Member.*

(Sd) V. L. D'SOUZA, *Member.*

BOMBAY;

The 24th July, 1952.

[No. LR-100 (18)]

S.R.O. 1428.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (XIV of 1947), the Central Government hereby publishes the following awards of the All India Industrial Tribunal (Bank Disputes) in the matter of victimisation etc. of workmen in banking companies.

AWARDS

BEFORE THE ALL INDIA INDUSTRIAL TRIBUNAL (BANK DISPUTES),
BOMBAY.

IN REFERENCE NO. 2/52 (S.R.O. 42, DATED 8TH JANUARY 1952)

Shri Moolchand Srivastava

Versus

United Commercial Bank Ltd.

This is one of the disputes referred to us for adjudication under the Government of India, Ministry of Labour Notification No. S.R.O. 42, dated 8th January 1952. It

appears there as serial number 301. The nature of the dispute as set out therein is as follows:—

"Payment of travelling allowance amount".

2. Notice was issued to the workman by registered post on 9th May 1952 calling upon him to file a statement of his case on or before 23rd May 1952. The notice was served on the workman but he did not file any statement. However, in his letter dated 19th May 1952 the workman has written to the Tribunal as follows:—

"With reference to your notice No. 2633 dated 9th May, 1952, I have the honour to inform you that my above mentioned dispute with the Hindustan Commercial Bank, Sitapur has already been settled. Therefore, I do not desire an adjudication thereof".

In these circumstances, we pass an award that no orders are necessary.

(Sd.) S. PANCHAPAGESA SASTRY, *Chairman.*

(Sd.) M. L. TANNAN, *Member.*

(Sd.) V. L. D'SOUZA, *Member.*

BOMBAY;

The 24th July, 1952

**BEFORE THE ALL INDIA INDUSTRIAL TRIBUNAL (BANK DISPUTES),
BOMBAY.**

IN REFERENCE NO. 2/52 (S.R.O. 42. DATED 8TH JANUARY, 1952).

Shri R. Subbarayulu

Versus

The Imperial bank of India, Calcutta.

This is one of the disputes referred to us for adjudication by the Government of India, Ministry of Labour Notification S.R.O. No. 42, dated 8th January, 1952. It appears there as Serial No. 407. The nature of the dispute as set out therein is as follows:

"Termination of Service".

Notice was issued to the workman by registered post on 12th February, 1952 calling upon him to file a statement of his case on or before 29th February, 1952. The notice was returned undelivered. But the workman, in his letter dated 20th March, 1952, wrote to the Tribunal to say that the registered letter was returned undelivered by the postal authorities when he was away from the town and that the notice should be forwarded to him again. In pursuance of this request a fresh notice was issued to the workman and the bank was also informed about it. Though this notice was actually served on the workman he did not file any statement within the time allowed. In these circumstances the only proper inference to be drawn is that there is, at present, no dispute in respect of which any adjudication is necessary. We, therefore, pass an award that no orders are necessary.

(Sd.) S. PANCHAPAGESA SASTRY, *Chairman.*

(Sd.) M. L. TANNAN, *Member.*

(Sd.) V. L. D'SOUZA, *Member.*

BOMBAY;

The 24th July, 1952.

**BEFORE THE ALL INDIA INDUSTRIAL TRIBUNAL (BANK DISPUTES),
BOMBAY.**

IN REFERENCE NO. 2/52 (S.R.O. 42, DATED 8TH JANUARY, 1952).

Shri M. Easaw

Versus

The Imperial Bank of India, Calcutta.

This is one of the disputes referred to us for adjudication by the Government of India, Ministry of Labour Notification S.R.O. No. 42 dated 8th January 1952.

It appears there as Serial No. 408. The nature of the dispute as set out therein is as follows:

"Transfer from one station to another".

Notice was issued by registered post to the workman on 12th February, 1952 requiring him to file a statement of his case on or before 29th February, 1952. Though the notice was served on the workman he did not file any statement. However, the workman in his letter dated 8th July, 1952, addressed to Shri K. Srinivasan (Union Representative, Imperial Bank, Madras Circle), which has since been forwarded to the Tribunal for information and necessary action, writes as follows:

"Under instructions from the Imperial Bank of India, Indian Staff Union Madras, Circle, Madras, I hereby authorise you to withdraw my case from the Tribunal. I got the Tribunal's notice which stated that unless I filed my case before 29th February 1952 they would take it for granted that I had no dispute to be adjudicated by the Tribunal. Therefore I kept silent, because I did not want to proceed with the case".

In these circumstances we pass an award that no orders are necessary.

(Sd.) S. PANCHAPAGESA SASTRY, *Chairman*,

(Sd.) M. L. TANNAN, *Member*,

(Sd.) V. L. D'SOUZA, *Member*.

BOMBAY;

The 24th July, 1952

[No. LR-100(30).]

N. C. KUPPUSWAMI, Under Secy.